

**THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD  
MONDAY, NOVEMBER 28, 2005 AT 5:30 P.M.**

The Meeting was called to order at 5:30 p.m. Present: Council Chair Svoboda; Council Members: Camp, Cook, Eschliman, Marvin, McRoy, Newman; City Clerk, Joan E. Ross.

Council Chair Svoboda asked all present to stand and recite the Pledge of Allegiance and observe a moment of silent meditation.

**READING OF THE MINUTES**

MCROY Having been appointed to read the minutes of the City Council proceedings of November 14, 2005, reported having done so, found same correct.

Seconded by Newman & carried by the following vote: AYES: Camp, Cook, Eschliman, Marvin, McRoy, Newman, Svoboda; NAYS: None.

**PUBLIC HEARING**

MANAGER APPLICATION OF CLAYTON WYSOCKI FOR DHABS, LLC, DBA BARRYMORE'S AT 124 NORTH 13TH STREET - Clayton Wysocki, 3028 Vine Street, took oath and came forward to answer questions.

This matter was taken under advisement.

APPLICATION OF IRIE, INC. DBA DOC'S PLACE FOR THE ADDITION OF A CATERING LIQUOR LICENSE TO THE EXISTING CLASS C LIQUOR LICENSE AT 140 NORTH 8TH STREET, SUITE 150 - Troy Faulk, Manager of Doc's Place, 140 N. 8<sup>th</sup> Street, Suite 150, took oath and came forward to answer questions.

This matter was taken under advisement.

APPLICATION OF M&R VENTURES LLC DBA BENNIGAN'S RESTAURANT FOR A CLASS I LIQUOR LICENSE AT 8701 ANDERMATT DRIVE;

MANAGER APPLICATION OF SCOTT ZABEL FOR M&R VENTURES LLC DBA BENNIGAN'S RESTAURANT AT 8701 ANDERMATT DRIVE - Scott Zabel, no address given, took oath and came forward to answer questions.

John C. Hurd, Attorney, took oath and came forward for approval on behalf of Mr. Zabel. Discussion followed.

This matter was taken under advisement.

APPLICATION OF BLUE ORCHID, LLC DBA BLUE ORCHID FOR A CLASS I LIQUOR LICENSE AT 129 NORTH 10TH STREET;

MANAGER APPLICATION OF MALINEE KIATATHIKOM FOR BLUE ORCHID, LLC DBA BLUE ORCHID AT 129 NORTH 10TH STREET - Malinee Kiatathikom, 129 North 10<sup>th</sup> Street, took oath and came forward to answer questions.

This matter was taken under advisement.

CHANGE OF ZONE 05067 - APPLICATION OF WHITEHEAD OIL COMPANY FOR A CHANGE OF ZONE FROM R-6 RESIDENTIAL DISTRICT TO B-3 LINCOLN CENTER BUSINESS DISTRICT ON PROPERTY GENERALLY LOCATED AT 2100 K STREET - Mark Hunzeker, 1045 Lincoln Mall, Suite 200, came forward representing the applicant.

Marvin Krout, Director of Planning, came forward to answer questions.

Brad Hedrick of Alltel, 401 S. 21<sup>st</sup> St., came forward in support.

Randy Hoskins, Traffic Engineer, came forward to answer questions.

Mark Hunzeker, 1045 Lincoln Mall, Suite 200, came forward for rebuttal.

HEARING ON THE LINCOLN ELECTRIC SYSTEM ANNUAL BUDGET FOR 2006 - Terry Bundy, CEO, and Keith Brown, CFO, of LES came forward to answer questions. Discussion followed.

Dan Marvin, Council Member, stated for the record: The PCA (Production Cost Adjustment) is not going to be part of the December 12th vote.

Mr. Bundy, replied: That's true.

APPROVING SUPPLEMENTAL AGREEMENT NO. 1 BETWEEN THE CITY, COUNTY AND THE STATE DEPT. OF ROADS FOR FUNDING OF THE LINCOLN SOUTH BELTWAY - Randy Hoskins, Traffic Engineer, came forward to answer questions. Discussion followed.

Lou Lenzen, Assistant Roadway Design Engineer of the State Dept. of Roads, came forward to answer questions. Further discussion followed.

This matter was taken under advisement.

APPROVING AN AGREEMENT BETWEEN THE CITY AND THE STATE DEPT. OF ROADS TO RESURFACE HIGHWAY 2 FROM VAN DORN STREET TO OLD CHENEY ROAD - Randy Hoskins, Traffic Engineer, came forward to answer questions. Discussion followed.

Richard Esquivel, 733 W. Cuming St., came forward in support.

This matter was taken under advisement.

APPROVING A REDEVELOPMENT AGREEMENT BETWEEN THE CITY AND VILLAGE DEVELOPMENT - O STREET, LLC, WEST GATE BANK, AND THE EATING ESTABLISHMENT 48TH & O, FOR THE REDEVELOPMENT OF THE SOUTHEAST CORNER OF 48TH AND O STREETS IN CONNECTION WITH CITY SPECIFICATION NO. 05-049, SUBPROJECT AREA B - Darl Naumann, Economic Development Director, came forward to answer questions. Discussion followed.

Joel Pedersen, Asst. City Attorney, came forward to answer questions. Further discussion followed.

Wynn Hjerstad, Manager of Community Development, came forward to answer questions. Further discussion followed.

Ed Patterson, 700 N. 24<sup>th</sup>, came forward in opposition.

Nicole Thompson, 1606 N. 31<sup>st</sup>, came forward in opposition.

Fred Freytag, 530 S. 38<sup>th</sup>, came forward in support.

Richard Bagby, 389 S. 47<sup>th</sup>, came forward in support.

Richard Esquivel, 733 W. Cuming St., came forward in opposition. Further discussion followed.

Joel Pedersen came forward to answer Council questions. Further discussion followed.

Wynn Hjerstad came forward in rebuttal. Further discussion followed.

This matter was taken under advisement.

**TOOK BREAK 8:10 P.M.**

**RECONVENED 8:35 P.M.**

ANNEXATION 05013 - AMENDING THE LINCOLN CORPORATE LIMITS MAP BY ANNEXING APPROXIMATELY 149.09 ACRES OF PROPERTY GENERALLY LOCATED AT NORTH 84TH STREET AND ADAMS STREET;

APPROVING THE PRAIRIE VILLAGE NORTH CONDITIONAL ANNEXATION AND ZONING AGREEMENT BETWEEN THE CITY AND DUBOIS LAND LLC, PRAIRIE VILLAGE NORTH LLC, PRAIRIE HOME BUILDERS INC., ROLAND GROUP LLC, AND FAITH EVANGELICAL LUTHERAN CHURCH, RELATING TO THE ANNEXATION OF APPROXIMATELY 149.09 ACRES, GENERALLY LOCATED AT THE NORTHEAST CORNER OF N. 84TH STREET AND ADAMS STREET AND THE USE OF SAID 149.09 ACRES ALONG WITH APPROXIMATELY 23 ACRES LOCATED AT THE SOUTHEAST CORNER OF N. 84TH STREET AND ADAMS STREET UNDER A PLANNED UNIT DEVELOPMENT;

CHANGE OF ZONE 05054 - APPLICATION OF PRAIRIE HOME BUILDERS FOR A CHANGE OF ZONE FROM AG AGRICULTURAL DISTRICT TO R-3 AND R-5 RESIDENTIAL DISTRICTS, B-2 PLANNED NEIGHBORHOOD BUSINESS DISTRICT AND O-3 OFFICE PARK DISTRICT, ON PROPERTY GENERALLY LOCATED AT N. 84TH STREET AND ADAMS STREET; FOR A PLANNED UNIT DEVELOPMENT DISTRICT DESIGNATION OF SAID PROPERTY; AND FOR APPROVAL OF A DEVELOPMENT PLAN WHICH PROPOSES MODIFICATIONS TO THE ZONING ORDINANCE, LAND SUBDIVISION ORDINANCE, AND DESIGN STANDARDS TO ALLOW APPROXIMATELY 1,161 DWELLING UNITS IN THE UNDERLYING R-3 AND R-5 ZONED AREAS (TOTAL NUMBER OF ALLOCATED UNITS IS 1,071 AND THE TOTAL NUMBER OF AVAILABLE UNASSIGNED UNITS IS 90) AND APPROXIMATELY 585,000 SQUARE FEET OF OFFICE, RETAIL, AND COMMERCIAL FLOOR AREA IN THE UNDERLYING O-3 AND B-2 ZONED AREAS - Peter Katt, 1045 Lincoln Mall, Suite 200, came forward on behalf of Prairie Home Builders, Inc. Discussion followed.

Randy Hoskins, Traffic Engineer, came forward to answer questions.

Jennifer Miller, 6200 Queens Drive #14, came forward in opposition.

Virginia Wright, 814 Lyncrest, came forward in opposition.

Rick Goodman, 840 Foxcroft Court #140, came forward in opposition.

Robert Destefano, 5030 NW Carver Circle, came forward in opposition.

Ed Patterson, 700 N. 24<sup>th</sup>, came forward and referenced a newspaper article. He was neither for nor against.

Susan Schulte, 8120 Whitney Court, came forward in opposition.

Jerry Gulizia, 3612 Worthington Ave., came forward in opposition.

Maribeth Milner, 5151 Vine St. #608, came forward in opposition.

Joy Wilder, 140 E. Cherrywood, came forward in opposition.

Kathryn Filip, 5420 Rosebriar Ct., came forward in opposition.

Further discussion followed

Larry Elias, 7621 Karl Dr., came forward in opposition.

Kathy Siefken, 5631 Coyote Circle, came forward in opposition.

Jane Raybould, 3015 S. 20<sup>th</sup> St., came forward in opposition. Further discussion followed.

Theresa Bruns, 4900 Canterbury Lane, came forward in support.

Further discussion followed.

Frank Eman, 2835 S. 40<sup>th</sup> St., came forward in opposition.

Tammie Spence, 6140 Havelock Ave., came forward in opposition.

Kim Wacha, 3601 Randolph St., came forward in support.  
Craig Anderson, 7521 Yancy Dr., came forward in opposition and expressed his concerns about traffic on Adams Street. Discussion followed.  
Lori Botz, 3761 El Paso Dr., came forward in support. Further discussion followed.  
Tom Schulte, 8120 Whitney Ct., came forward in opposition.  
Brandi Kirby, 2800 Woods Blvd., came forward in support.  
Richard Halvorsen, 6311 Inverness Road, came forward in opposition.  
Marvin Krout, Director of Planning, came forward to answer Council questions regarding impact fees. Discussion followed.  
Dana Roper, City Attorney, came forward to answer Council questions. Further discussion followed.  
Randy Hoskins came forward to answer Council questions and to explain the lanes at 84<sup>th</sup> and Adams. Further discussion followed.

TOOK BREAK 11:25 P.M.

RECONVENED 11:38 P.M.

Dana Roper came forward to answer Council questions about acting on amendments. Discussion followed.  
Peter Katt, 1045 Lincoln Mall, Suite 200, came forward for rebuttal. Further discussion followed.  
This matter was taken under advisement.

**\*\* END OF PUBLIC HEARING \*\***

MISCELLANEOUS BUSINESS - NONE

## COUNCIL ACTION

### LIQUOR RESOLUTIONS

MANAGER APPLICATION OF CLAYTON WYSOCKI FOR DHABS, LLC, DBA BARRYMORE'S AT 124 NORTH 13TH STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-83651 WHEREAS, DHABS, LLC dba Barrymore's located at 124 N. 13th Street, Lincoln, Nebraska has been approved for a Retail Class "CK" liquor license, and now requests that Clayton Wysocki be named manager;

WHEREAS, Clayton Wysocki appears to be a fit and proper person to manage said business.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that Clayton Wysocki be approved as manager of this business for said licensee. The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

Seconded by Newman & carried by the following vote: AYES: Camp, Cook, Eschliman, Marvin, McRoy, Newman, Svoboda; NAYS: None.

APPLICATION OF IRIE, INC. DBA DOC'S PLACE FOR THE ADDITION OF A CATERING LIQUOR LICENSE TO THE EXISTING CLASS C LIQUOR LICENSE AT 140 NORTH 8TH STREET, SUITE 150 - CLERK read the following resolution, introduced by Annette McRoy, who moved its adoption for approval:

A-83652 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinance, the City Council recommends that the application of Irie, Inc. dba Doc's Place for the issuance of a Catering Permit to the existing liquor license, located at 140 N. 8th Street, Suite 150, Lincoln, Nebraska, be approved with the condition that the premise complies in every respect with all city and state regulations.

BE IT FURTHER RESOLVED that a copy of this resolution be transmitted by the City Clerk to the Nebraska Liquor Control Commission.

Introduced by Annette McRoy

Seconded by Newman & carried by the following vote: AYES: Cook, Eschliman, Marvin, McRoy, Newman, Svoboda; NAYS: None; CONFLICT OF INTEREST: Camp.

APPLICATION OF M&R VENTURES LLC DBA BENNIGAN'S RESTAURANT FOR A CLASS I LIQUOR LICENSE AT 8701 ANDERMATT DRIVE - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-83653 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska: That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that the application of M&R Ventures LLC dba Bennigan's Restaurant for a Class "I" liquor license at 8701 Andermatt Drive, Lincoln, Nebraska, for the license period ending April 30, 2006, be approved with the condition that the premise complies in every respect with all city and state regulations. The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

Seconded by Newman & carried by the following vote: AYES: Camp, Cook, Eschliman, Marvin, McRoy, Newman, Svoboda; NAYS: None.

MANAGER APPLICATION OF SCOTT ZABEL FOR M&R VENTURES LLC DBA BENNIGAN'S RESTAURANT AT 8701 ANDERMATT DRIVE - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-83654 WHEREAS, M&R Ventures LLC dba Bennigan's Restaurant located at 8701 Andermatt Drive, Lincoln, Nebraska has been approved for a Retail Class "I" liquor license, and now requests that Scott Zabel be named manager;

WHEREAS, Scott Zabel appears to be a fit and proper person to manage said business.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that Scott Zabel be approved as manager of this business for said licensee. The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

Seconded by Newman & carried by the following vote: AYES: Camp, McRoy, Newman, Svoboda; NAYS: Cook, Eschliman, Marvin.

APPLICATION OF BLUE ORCHID, LLC DBA BLUE ORCHID FOR A CLASS I LIQUOR LICENSE AT 129 NORTH 10TH STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-83655 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that the application of Blue Orchid, LLC dba Blue Orchid for a Class "I" liquor license at 129 North 10th Street, Lincoln, Nebraska, for the license period ending April 30, 2006, be approved with the condition that the premise complies in every respect with all city and state regulations. The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

Seconded by Newman & carried by the following vote: AYES: Camp, Cook, Eschliman, Marvin, McRoy, Newman, Svoboda; NAYS: None.

MANAGER APPLICATION OF MALINEE KIATATHIKOM FOR BLUE ORCHID, LLC DBA BLUE ORCHID AT 129 NORTH 10TH STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-83656 WHEREAS, Blue Orchid, LLC dba Blue Orchid located at 129 North 10th Street, Lincoln, Nebraska has been approved for a Retail Class "I" liquor license, and now requests that Malinee Kiatathikom be named manager;

WHEREAS, Malinee Kiatathikom appears to be a fit and proper person to manage said business.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that Malinee Kiatathikom be approved as manager of this business for said licensee. The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

Seconded by Newman & carried by the following vote: AYES: Camp, Cook, Eschliman, Marvin, McRoy, Newman, Svoboda; NAYS: None.

ORDINANCES - 2<sup>ND</sup> READING & RESOLUTIONS

CHANGE OF ZONE 05067 - APPLICATION OF WHITEHEAD OIL COMPANY FOR A CHANGE OF ZONE FROM R-6 RESIDENTIAL DISTRICT TO B-3 LINCOLN CENTER BUSINESS DISTRICT ON PROPERTY GENERALLY LOCATED AT 2100 K STREET - CLERK read an ordinance, introduced by Annette McRoy, amending the Lincoln Zoning District Maps attached to and made a part of Title 27 of the Lincoln Municipal Code, as provided by Section 27.05.020 of the Lincoln Municipal Code, by changing the boundaries of the districts established and shown thereon, the second time.

RESOLUTIONS

APPROVING LUCKIE'S LOUNGE AT 1101 W. BOND AS A KENO SATELLITE SITE. HEARING ON THE LINCOLN ELECTRIC SYSTEM ANNUAL BUDGET FOR 2006 - Prior to reading:  
COOK Moved to continue Public Hearing and Action to 12/5/05.  
Seconded by McRoy & carried by the following vote: AYES: Camp, Cook, Eschliman, Marvin, McRoy, Newman, Svoboda; NAYS: None.

HEARING ON THE LINCOLN ELECTRIC SYSTEM ANNUAL BUDGET FOR 2006 (Action Date: 12/12/05).

APPROVING SUPPLEMENTAL AGREEMENT NO. 1 BETWEEN THE CITY, COUNTY AND THE STATE DEPT. OF ROADS FOR FUNDING OF THE LINCOLN SOUTH BELTWAY- CLERK read the following resolution, introduced by Annette McRoy, who moved its adoption:  
A-83657 BE IT RESOLVED by the City Council of the City of Lincoln,

Nebraska:

That the attached Supplemental Agreement No. 1 between the City of Lincoln, Lancaster County, and the State of Nebraska Department of Roads for Project No. DPU-3300(3), DUP 2-6(117), DUP-2-6(118), and DPU-2-6(119), for funding of the Lincoln South Beltway for the preliminary engineering, utilities, right-of-way, construction, and construction engineering at Nebraska Highway 2 between 127th Street and U.S. Highway 77, in accordance with the terms and conditions contained in said Agreement, is hereby approved and the Mayor is authorized to execute the same on behalf of the City of Lincoln.

The City Clerk is directed to return the executed copies of the Agreement to the Public Works and Utilities Department, for transmittal and execution by Lancaster County and the State Department of Roads.

Introduced by Annette McRoy

Seconded by Marvin & carried by the following vote: AYES: Camp, Cook, Eschliman, Marvin, McRoy, Newman, Svoboda; NAYS: None.

APPROVING AN AGREEMENT BETWEEN THE CITY AND THE STATE DEPT. OF ROADS TO RESURFACE HIGHWAY 2 FROM VAN DORN STREET TO OLD CHENEY ROAD- CLERK read the following resolution, introduced by Annette McRoy, who moved its adoption:

A-83658 BE IT RESOLVED by the City Council of the City of Lincoln,  
Nebraska:

That the attached Agreement between the City of Lincoln and the State of Nebraska Department of Roads for Project No. RD-2-6(1026), State CN-12767, for the resurfacing of Nebraska Highway 2 from Van Dorn Street to Old Cheney Road, in accordance with the terms and conditions contained in said Agreement, is hereby approved and the Mayor is authorized to execute the same on behalf of the City of Lincoln.

The City Clerk is directed to return the executed copies of the Agreement to the Public Works and Utilities Department, for transmittal and execution by the State Department of Roads.

Introduced by Annette McRoy

Seconded by Eschliman & carried by the following vote: AYES: Camp, Cook, Eschliman, McRoy, Newman, Svoboda; NAYS: Marvin.

APPROVING A REDEVELOPMENT AGREEMENT BETWEEN THE CITY AND VILLAGE DEVELOPMENT - O STREET, LLC, WEST GATE BANK, AND THE EATING ESTABLISHMENT 48<sup>TH</sup> & O, FOR THE REDEVELOPMENT OF THE SOUTHEAST CORNER OF 48<sup>TH</sup> AND O STREETS IN CONNECTION WITH CITY SPECIFICATION NO. 05-049, SUBPROJECT AREA B- CLERK read the following resolution, introduced by Annette McRoy, who moved its adoption:

A-83659 WHEREAS, the City has undertaken a program for the redevelopment of blighted and substandard areas in the City of Lincoln, Nebraska, and as part of that program the City has prepared and approved the North 48th Street Redevelopment Plan (the "Redevelopment Plan") providing for redevelopment in the City of Lincoln in the vicinity of North 48th and O Streets, a copy of which, together with any and all amendments thereto, is on file in the Office of the City Clerk of the City; and

WHEREAS, on April 15, 2005, VILLAGE DEVELOPMENT - O STREET, L.L.C.; WEST GATE BANK, and THE EATING ESTABLISHMENT 48TH & O, L.L.C., (collectively referred to as "Redeveloper") submitted a joint Proposal for Redevelopment to the City, in response to the City's Request for Proposals, Specification No. 05-049 Subpart B, with respect to the redevelopment of the real property generally located at the southeast corner of 48th and O Streets, Lincoln, Lancaster County, Nebraska, more particularly described in the Redevelopment Agreement (the "Project Site"); and

WHEREAS, a proposed redevelopment Agreement, by and between the City and the Redeveloper which provides for the Redevelopment of the Project Site and the construction of public improvements by the City in connection with and in furtherance of the Redevelopment within the area, has been presented to the City Council in accordance with law; and

WHEREAS, the City and Developer desire to enter into this Agreement to implement the redevelopment of the Project Site for the purposes in accordance with the Redevelopment Plan; and

WHEREAS, the redevelopment of the Project Site is in the vital and best interest of the City and is in furtherance of the health, safety, and welfare of its residents, and is in accordance with the public purposes and provisions of applicable laws and requirements under which the Redevelopment Plan has been undertaken; and

WHEREAS, The City Council directed that the Urban Development Director or his authorized representative take all steps necessary to implement the provisions of said Redevelopment Plan and the property involved is under contract or already acquired by the City such that no further site acquisition is required.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska and considering: (a) the tax shifts from the use of Community Improvement Financing as authorized in § 18-2147; (b) the community's public service needs impacts and local tax impacts arising from the approval of the project; (c) impacts on employers and employees of firms locating or expanding within the boundaries of the project area; (d) impacts on other employers and employees in the City and immediate area outside the project area; and (e) other impacts the City Council hereby determines to be relevant to the consideration of costs and benefits arising from the redevelopment project:

1. That the attached Redevelopment Agreement between the City of Lincoln and Redeveloper for the redevelopment of the Project Site on the southeast corner of 48th and O Streets, in accordance with the terms and conditions contained in said Agreement, is hereby approved and the Mayor is authorized to execute the same on behalf of the City of Lincoln.

2. The approvals required of the City in paragraphs 9 a and b of the Real Estate Sales Agreement with Balvi, LLC related to the Project Site are hereby expressly granted and the Finance Director is hereby authorized to transfer funds and administer the same so that adequate funds for payment of the purchase price are available to the City for closing of the contemplated transactions approved both in the Balvi, LLC and the Redevelopment Agreement.

3. The City Clerk is directed to return three fully executed copies of the Agreement to the Urban Development Department for distribution.

BE IT FURTHER RESOLVED that the Mayor is authorized to execute such other documents, agreements, or amendments to the above referenced Redevelopment Agreement as may be necessary to effectuate the purposes and intent thereof.

Introduced by Annette McRoy

Seconded by Camp & carried by the following vote: AYES: Camp, Cook, Eschliman, Marvin, McRoy, Newman, Svoboda; NAYS: None.

#### ORDINANCES - 3<sup>RD</sup> READING & RESOLUTIONS

ANNEXATION 05013 - AMENDING THE LINCOLN CORPORATE LIMITS MAP BY ANNEXING APPROXIMATELY 149.09 ACRES OF PROPERTY GENERALLY LOCATED AT NORTH 84TH STREET AND ADAMS STREET - Prior to reading:

COOK Moved to delay action Bill No. 05-164 for two weeks to 12/12/05.

Seconded by Marvin & carried by the following vote: AYES: Camp, Cook, Eschliman, Marvin, McRoy, Newman, Svoboda; NAYS: None.

APPROVING THE PRAIRIE VILLAGE NORTH CONDITIONAL ANNEXATION AND ZONING AGREEMENT BETWEEN THE CITY AND DUBOIS LAND LLC, PRAIRIE VILLAGE NORTH LLC, PRAIRIE HOME BUILDERS INC., ROLAND GROUP LLC, AND FAITH EVANGELICAL LUTHERAN CHURCH, RELATING TO THE ANNEXATION OF APPROXIMATELY 149.09 ACRES, GENERALLY LOCATED AT THE NORTHEAST CORNER OF N. 84TH STREET AND ADAMS STREET AND THE USE OF SAID 149.09 ACRES ALONG WITH APPROXIMATELY 23 ACRES LOCATED AT THE SOUTHEAST CORNER OF N. 84TH STREET AND ADAMS STREET UNDER A PLANNED UNIT DEVELOPMENT - Prior to reading:

CAMP Moved amendment #1 to Bill No. 05R-262 in the following manner: 1. That the 11-10-05 Prairie Village North Conditional Annexation and Zoning Agreement, which is attached hereto marked Attachment "A" replace and supercede the 10-27-05 Prairie Village North Conditional Annexation and Zoning Agreement marked as Attachment "A" to Bill No. 05R-262.

Seconded by Marvin & carried by the following vote: AYES: Camp, Cook, Eschliman, Marvin, McRoy, Newman, Svoboda; NAYS: None.

MARVIN Moved amendment #2 to Bill No. 05R-262 by amending the 11-10-05 Prairie Village North Conditional Annexation and Zoning Agreement attached to Bill No. 05R-262 as Attachment "A" as follows: 1. On page 10 revise paragraph 7.B.2.b. to read as follows: (b) "A convertible three-lane section roadway of permanent concrete pavement with curb and gutter not to exceed a maximum roadway width of 35 feet and associated storm sewer from approximately 82<sup>nd</sup> Street west to 75<sup>th</sup> Street." 2. On page 10 revise paragraph 7.B. by eliminating subparagraph 2.a. in its entirety.

Seconded by Cook & carried by the following vote: AYES: Camp, Cook, Eschliman, Marvin, McRoy, Newman, Svoboda; NAYS: None.

COOK Moved a friendly amendment to Bill No. 05R-262 being 35 feet from back of curb to back of curb and strike convertible trigger development of 200,000 sq. feet single use box north side of Adams.

Accepted by Marvin & carried by the following vote: AYES: Camp, Cook, Eschliman, Marvin, McRoy, Newman, Svoboda; NAYS: None.

(For motion to amend #3 See Bill No. 05-165)

COOK Moved amendment #4 to Bill No. 05R-262.

Seconded by (inaudible) & carried by the following vote: AYES: Camp, Cook, Eschliman, Marvin, McRoy, Newman, Svoboda; NAYS: None.

(The motion to amend is on file in the Clerk's office attached to Bill No. 05R-262)

ESCHLIMAN Moved amendment #5 to Bill No. 05R-262.

Seconded by Marvin & carried by the following vote: AYES: Camp, Cook, Eschliman, Marvin, McRoy, Newman, Svoboda; NAYS: None.

(The motion to amend is on file in the Clerk's office attached to Bill No. 05R-262)

ESCHLIMAN Moved amendment #6 to Bill No. 05R-262.

Seconded by Marvin & carried by the following vote: AYES: Camp, Cook, Eschliman, Marvin, McRoy, Newman, Svoboda; NAYS: None.

(The motion to amend is on file in the Clerk's office attached to Bill No. 05R-262)

ESCHLIMAN Moved amendment #7 to Bill No. 05R-262.

Seconded by McRoy & **LOST** by the following vote: AYES: Eschliman, Svoboda; NAYS: Camp, Cook, Marvin, McRoy, Newman.

(The motion to amend is on file in the Clerk's office attached to Bill No. 05R-262)

COOK Moved to delay action on Bill No. 05R-262 two weeks to 12/12/05.

Seconded by Marvin & carried by the following vote: AYES: Camp, Cook, Eschliman, Marvin, McRoy, Newman, Svoboda; NAYS: None.

CHANGE OF ZONE 05054 - APPLICATION OF PRAIRIE HOME BUILDERS FOR A CHANGE OF ZONE FROM AG AGRICULTURAL DISTRICT TO R-3 AND R-5 RESIDENTIAL DISTRICTS, B-2 PLANNED NEIGHBORHOOD BUSINESS DISTRICT AND O-3 OFFICE PARK DISTRICT, ON PROPERTY GENERALLY LOCATED AT N. 84TH STREET AND ADAMS STREET; FOR A PLANNED UNIT DEVELOPMENT DISTRICT DESIGNATION OF SAID PROPERTY; AND FOR APPROVAL OF A DEVELOPMENT PLAN WHICH PROPOSES MODIFICATIONS TO THE ZONING ORDINANCE, LAND SUBDIVISION ORDINANCE, AND DESIGN STANDARDS TO ALLOW APPROXIMATELY 1,161 DWELLING UNITS IN THE UNDERLYING R-3 AND R-5 ZONED AREAS (TOTAL NUMBER OF ALLOCATED UNITS IS 1,071 AND THE TOTAL NUMBER OF AVAILABLE UNASSIGNED UNITS IS 90) AND APPROXIMATELY 585,000 SQUARE FEET OF OFFICE, RETAIL, AND COMMERCIAL FLOOR AREA IN THE UNDERLYING O-3 AND B-2 ZONED AREAS - Prior to reading:

COOK Moved amendment #1 to Bill No. 05-165 in the following manner: 1. On page 8, line 17, delete the number 1,685 and insert in lieu thereof the number 1,161.

Seconded by Newman & carried by the following vote: AYES: Camp, Cook, Eschliman, Marvin, McRoy, Newman, Svoboda; NAYS: None.

MCROY Moved amendment #2 to Bill No. 05-165 in the following manner: 1. On page 3, line 2, page 4, line 22, page 6, line 8 and page 8, line 10, change the reference from Section "2" below to Section 5 below.

Seconded by Marvin & carried by the following vote: AYES: Camp, Cook, Eschliman, Marvin, McRoy, Newman, Svoboda; NAYS: None.

MARVIN Moved amendment #3 to Bill No. 05-165 in the following manner: 1.  
On page 8, line 19 between the first reference to "Adams Street" and the  
semicolon, insert the following: of which no more than 100,000 square feet  
may be contained in a single building.

Seconded by Camp & carried by the following vote: AYES: Camp, Cook,  
Eschliman, Marvin, McRoy, Newman, Svoboda; NAYS: None.

COOK Moved to delay action to Bill No. 05-165 for two weeks to  
12/12/05.

Seconded by Marvin & carried by the following vote: AYES: Camp,  
Cook, Eschliman, Marvin, McRoy, Newman, Svoboda; NAYS: None.

#### PETITIONS & COMMUNICATIONS

THE FOLLOWING ITEMS HAVE BEEN REFERRED TO THE PLANNING DEPARTMENT:

SPECIAL PERMIT NO. 05056 - App of Sanford and Son, LLC to operate a concrete  
crusher to recycle concrete and asphalt on property at 3900 Industrial  
Drive.

SPECIAL PERMIT NO. 05057 - App. of Neighborhood Service Exchange, a project  
of Health Partners Initiative, for a nonprofit religious, educational,  
and philanthropic institution on property at 1036 E Street.

#### REPORTS OF CITY OFFICERS

ACCEPTING THE REPORT ON BOARD OF EQUALIZATION TO CITY COUNCIL ON SPECIAL  
ASSESSMENT GROUP III (WATER DISTRICT 1194 AND ALLEY PAVING DISTRICT 362A)  
- CLERK presented said report which was placed on file in the Office of  
the City Clerk.

RESOLUTION SETTING THE INTEREST RATE OF 6.05% AND LEVYING THE ASSESSMENTS ON  
SPECIAL ASSESSMENT GROUP III OF THE BOARD OF EQUALIZATION HELD NOVEMBER  
14, 2005 - CLERK read the following resolution, introduced by Patte  
Newman, who moved its adoption:

A-83660 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska  
that:

The special taxes assessed **Nov. 7, 2005**, to pay the costs of the  
improvements in **Water District 1194 and Alley Paving District 362A** are  
hereby levied and shall bear interest at **6.05%** per annum and that the  
period of time in which the assessments are to be paid shall be as  
follows:

20 years - Water District 1194

20 years - Alley Paving District 362A

Introduced by Patte Newman

Seconded by Camp & carried by the following vote: AYES: Camp, Cook,  
Eschliman, Marvin, McRoy, Newman, Svoboda; NAYS: None.

SETTING THE HEARING DATE OF MONDAY, DECEMBER 19, 2005, AT 1:30 P.M. FOR THE  
ASSESSMENT OF WEED REMOVAL COSTS INCURRED FOR THE PERIOD OF JANUARY 1  
THROUGH DECEMBER 31, 2005 - CLERK presented said report which was placed  
on file in the Office of the City Clerk.

CLERK'S LETTER AND MAYOR'S APPROVAL OF ORDINANCES AND RESOLUTIONS PASSED BY  
COUNCIL ON NOVEMBER 14, 2005 - CLERK presented said report which was  
placed on file in the Office of the City Clerk.

REPORT OF UNL MICROBIOLOGIST FOR WATER TESTING FOR THE MONTH OF OCTOBER, 2005  
- CLERK presented said report which was placed on file in the Office of  
the City Clerk.

#### ORDINANCES - 1<sup>ST</sup> READING

APPROVING A LEASE AGREEMENT BETWEEN THE CITY AND HAYMARKET SQUARE FOR THE  
LEASE OF SPACE LOCATED AT 808 P STREET, SUITE 400, FOR USE BY THE URBAN  
DEVELOPMENT DEPARTMENT FOR A FOUR YEAR TERM - CLERK read an ordinance,  
introduced by Patte Newman, accepting and approving a Lease Agreement  
between the City of Lincoln and Haymarket Square for the lease of office  
space by the Urban Development Department at 808 P Street, Suite 400,  
Lincoln, Lancaster County, Nebraska for a four year term commencing March  
1, 2006, the first time.



AMENDING CHAPTER 10.14 OF THE LINCOLN MUNICIPAL CODE RELATING TO RULES OF THE ROAD BY ADDING A SECTION NUMBERED 10.14.165 RELATING TO TWO-WAY LEFT-TURN LANES - CLERK read an ordinance, introduced by Patte Newman, amending Chapter 10.14 of the Lincoln Municipal Code relating to Rules of the Road by adding a new section numbered 10.14.165 relating to Two-Way Left-Turn Lanes, the first time.

AMENDING CHAPTER 10.14 OF THE LINCOLN MUNICIPAL CODE RELATING TO RULES OF THE ROAD BY ADDING A NEW SECTION NUMBERED 10.14.045 TO PROHIBIT EVASION OF TRAFFIC CONTROL DEVICES, SIGNS, OR SIGNALS AT STREET INTERSECTIONS - CLERK read an ordinance, introduced by Patte Newman, amending Chapter 10.14 of the Lincoln Municipal Code relating to Rules of the Road by adding a new section numbered 10.14.045 to prohibit evasion of traffic control devices, signs, or signals at street intersections, the first time.

CHANGE OF ZONE HP 05076 - APPLICATION OF FORUM LEX LTD. TO DESIGNATE THE FORMER KAPPA SIGMA FRATERNITY HOUSE AT 1141 H STREET AS A HISTORIC LANDMARK - CLERK read an ordinance, introduced by Patte Newman, amending the City of Lincoln District Map attached to and made a part of Title 27 of the Lincoln Municipal Code by designating certain property as a landmark, the first time.

SPECIAL PERMIT 05051 - APPLICATION OF FORUM LEX LTD. TO USE A LANDMARK DESIGNATED PROPERTY AS OFFICE USES, ON PROPERTY GENERALLY LOCATED AT THE SOUTHWEST CORNER OF S. 12TH AND H STREETS.

APPROVING A TRANSFER OF APPROPRIATIONS WITHIN THE PARKS AND RECREATION CAPITAL IMPROVEMENT PROGRAM IN THE AMOUNT OF \$100,000 FROM MAHONEY BALLFIELD RENOVATION 409382.6138 (KENO) TO UNIVERSITY PLACE BALLFIELD LIGHTING REPLACEMENT 409418.6138; IN THE AMOUNT OF \$18,000 FROM WITHERBEE MINI PARK DEVELOPMENT 409387.6138 (KENO) TO WOODS PARK SHELTER AND DRINKING FOUNTAIN 409419.6138; IN THE AMOUNT OF \$50,000 FROM FLEMING FIELDS PARK ACQUISITION 409387.6135 (KENO), \$23,000 FROM HOLMES LAKE TRAIL CONSTRUCTION 409368.6138 (GR), \$11,354.56 FROM ROPER PARK DRAINAGE IMPROVEMENTS 409364.6138 (CASH) AND \$5,000.46 FROM ROPER PARK DRAINAGE IMPROVEMENTS 409364.6138 (KENO) TO ANTELOPE VALLEY TRAIL CONSTRUCTION 409410.6138 - CLERK read an ordinance, introduced by Patte Newman, approving the transfer of unspent and unencumbered appropriations and cash (if any) between certain capital improvement projects within the Parks and Recreation Department, the first time.

#### ORDINANCES - 3<sup>RD</sup> READING & RESOLUTIONS

AMENDING SECTION 4.54.010 OF THE LINCOLN MUNICIPAL CODE RELATING TO THE COMMUNITY FORESTRY ADVISORY BOARD BY MODIFYING THE MEMBERSHIP REQUIREMENTS TO ELIMINATE THE PROVISION THAT AT LEAST ONE VOTING MEMBER MUST RESIDE IN EACH OF THE CITY COUNCIL DISTRICTS - CLERK read an ordinance, introduced by Dan Marvin, AN ORDINANCE amending Section 4.54.010 of the Lincoln Municipal Code relating to the Community Forestry Advisory Board by modifying the membership requirements to eliminate the provision that at least one voting member must reside in each of the City Council districts; and repealing Section 4.54.010 of the Lincoln Municipal Code as hitherto existing, the third time.

MARVIN Moved to pass the ordinance as read.

Seconded by Eschliman & carried by the following vote: AYES: Camp, Eschliman, Marvin, Svoboda; NAYS: Cook, McRoy, Newman.

The ordinance, being numbered **#18646**, is recorded in Ordinance Book #25, Page

AMENDING CHAPTER 2.76 OF THE LINCOLN MUNICIPAL CODE RELATING TO THE CITY'S PERSONNEL SYSTEM BY AMENDING SECTION 2.76.175 TO CLARIFY THE PROCEDURE TO BE FOLLOWED WHEN AN EMPLOYEE IN A PAY RANGE PREFIXED BY "A" IS TEMPORARILY PROMOTED; AND AMENDING SECTION 2.76.380 TO CLARIFY THE PROCEDURE TO BE FOLLOWED WHEN GRANTING FAMILY SICK LEAVE TO AN EMPLOYEE IN A PAY RANGE PREFIXED BY E OR M - Prior to reading;

NEWMAN Moved to Amend Bill No. 05-167 on page 2, line 18, delete the "A".  
Seconded by McRoy & carried by the following vote: AYES: Camp, Cook, Eschliman, Marvin, McRoy, Newman, Svoboda; NAYS: None.

CLERK Read an ordinance, introduced by Dan Marvin, AN ORDINANCE amending Chapter 2.76 of the Lincoln Municipal Code relating to the City's Personnel System by amending Section 2.76.175 to clarify the procedure to be followed when an employee in a pay range prefixed by "A" is temporarily promoted; amending Section 2.76.380 to clarify the procedure to be followed when granting family sick leave to an employee in a pay range prefixed by "E" or "M"; and repealing Sections 2.76.175 and 2.76.380 of the Lincoln Municipal Code as hitherto existing, the third time.

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MARVIN Moved to pass the ordinance as amended.  
Seconded by Eschliman & carried by the following vote: AYES: Camp, Cook, Eschliman, Marvin, McRoy, Newman, Svoboda; NAYS: None.  
The ordinance, being numbered **#18647**, is recorded in Ordinance Book #25, Page

DECLARING APPROXIMATELY 35,500 SQUARE FEET AS SURPLUS PROPERTY GENERALLY LOCATED AT 305 AND 345 F STREET - CLERK read an ordinance, introduced by Dan Marvin, an ordinance declaring the City-owned property generally located at 305 and 345 F Street as surplus and authorizing the sale thereof, the third time.

MARVIN Moved to pass the ordinance as read.  
Seconded by Newman & carried by the following vote: AYES: Cook, Eschliman, Marvin, McRoy, Newman, Svoboda; NAYS: Camp.  
The ordinance, being numbered **#18648**, is recorded in Ordinance Book #25, Page

CHANGE OF ZONE 05072 - AMENDING TITLE 27 OF THE LINCOLN MUNICIPAL CODE BY AMENDING SECTION 27.65.080, COMMUNITY UNIT PLAN: DESIGN STANDARDS; DENSITY, TO ADD A PROVISION TO ALLOW PRE-EXISTING LOTS TO BE INCLUDED WITHIN THE LIMITS OF A COMMUNITY UNIT PLAN WITHOUT AFFECTING THE OVERALL DENSITY - CLERK read an ordinance, introduced by Dan Marvin, AN ORDINANCE amending Section 27.65.080 of the Lincoln Municipal Code relating to "Community Unit Plan; Design Standards; Density" to add a provision to allow pre-existing lots to be included within the limits of a community unit plan without affecting the overall density; and repealing Section 27.65.080 of the Lincoln Municipal Code as hitherto existing, the third time.

MARVIN Moved to pass the ordinance as read.  
Seconded by Eschliman & carried by the following vote: AYES: Camp, Eschliman, McRoy, Svoboda; NAYS: Cook, Marvin, Newman.  
The ordinance, being numbered **#18649**, is recorded in Ordinance Book #25, Page

CHANGE OF ZONE 05073 - AMENDING TITLE 27 OF THE LINCOLN MUNICIPAL CODE BY AMENDING SECTION 27.37.020, B-5 PLANNED REGIONAL BUSINESS DISTRICT: USE REGULATIONS, AND SECTION 27.27.020, O-3 OFFICE PARK DISTRICT: USE REGULATIONS, TO ADD PUBLIC AND PRIVATE SCHOOLS TO THE LIST OF ALLOWED USES - CLERK read an ordinance, introduced by Dan Marvin, AN ORDINANCE amending Sections 27.27.020 and 27.37.020 of the Lincoln Municipal Code relating to use regulations to include public elementary or public high schools or private schools having a curriculum equivalent to a public elementary or public high school as permitted uses in the O-3 Office Park and the B-5 Planned Regional Business Districts, respectively; and repealing Sections 27.27.020 and 27.37.020 of the Lincoln Municipal Code as hitherto existing, the third time.

MARVIN Moved to pass the ordinance as read.  
Seconded by Eschliman & carried by the following vote: AYES: Camp, Cook, Eschliman, Marvin, McRoy, Newman, Svoboda; NAYS: None.  
The ordinance, being numbered **#18650**, is recorded in Ordinance Book #25, Page

AMENDING CHAPTER 5.16 OF THE LINCOLN MUNICIPAL CODE, CABLE COMMUNICATIONS, TO INCORPORATE THE CABLE COMMUNICATIONS REGULATIONS CURRENTLY FOUND IN CHAPTER 5.16 OF THE LINCOLN MUNICIPAL CODE AS UPDATED TO BE IN CONFORMANCE WITH FEDERAL LAW WITH THE NEWLY NEGOTIATED CABLE TELEVISION FRANCHISE, AND REPEALING CURRENT CHAPTER 5.16 IN ITS ENTIRETY - CLERK read an ordinance, introduced by Dan Marvin, AN ORDINANCE adopting a new Chapter 5.15 of the Lincoln Municipal Code, Cable Communications, to incorporate the cable communications regulations currently found in Chapter 5.16 of the Lincoln Municipal Code as updated to be in conformance with federal law and to coordinate the regulations with the newly negotiated cable television franchise, and repealing current Chapter 5.16 in its entirety, the third time.

MARVIN Moved to pass the ordinance as read.  
Seconded by Eschliman & carried by the following vote: AYES: Camp, Cook, Eschliman, Marvin, McRoy, Newman, Svoboda; NAYS: None.  
The ordinance, being numbered **#18651**, is recorded in Ordinance Book #25, Page

GRANTING TIME WARNER ENTERTAINMENT ADVANCE/NEWHOUSE PARTNERSHIP A COMMUNICATION SYSTEM FRANCHISE FOR CABLE TELEVISION WITHIN THE CITY OF LINCOLN PURSUANT TO AND SUBJECT TO THE PROVISIONS OF THE LINCOLN MUNICIPAL CODE - Prior to reading:

MARVIN Moved to Amend Bill No. 05-172 to turn off the PEG channels (community access channels).  
Seconded by Cook & **LOST** by the following vote: AYES: None. NAYS: Newman, Svoboda, Camp, Cook, Eschliman, Marvin, McRoy.

CLERK Read an ordinance, introduced by Dan Marvin, AN ORDINANCE granting a cable communication facility franchise to Time Warner Entertainment-Advance/Newhouse Partnership, dba Time Warner Cable to provide cable television services and to maintain a cable communication facility with the City of Lincoln pursuant to and subject to the provisions of the Lincoln Municipal Code, the third time.

MARVIN Moved to pass an ordinance as read.

Seconded by Cook & carried by the following vote: AYES: Cook, Eschliman, Marvin, McRoy, Newman, Svoboda; NAYS: Camp.

The ordinance, being numbered #18652, is recorded in Ordinance Book #25, Page

AUTHORIZING ACCEPTANCE OF A DONATION OF APPROXIMATELY SEVEN ACRES OF LAND FOR PARK AND OPEN SPACE PURPOSES GENERALLY LOCATED ALONG ANTELOPE CREEK IN THE BOULDER RIDGE RESIDENTIAL DEVELOPMENT, NORTHEASTERLY OF S. 84<sup>TH</sup> STREET AND PINE LAKE ROAD - PRIOR to reading:

MCROY Moved to amend Bill No. 05R-257 after line 15, add the following: BE IT FURTHER RESOLVED that the tract of land hereby accepted for public park purposes shall be named "Herizen Green".

Seconded by Marvin & LOST by the following vote: AYES: Camp, McRoy, Svoboda; NAYS: Cook, Eschliman, Marvin, Newman.

CLERK Read the following resolution, introduced by Dan Marvin, who moved its adoption:

Seconded by McRoy & LOST by the following vote: AYES: Cook, Marvin, Newman; NAYS: Camp, Eschliman, McRoy, Svoboda.

The resolution, having LOST, was assigned the File #38-4513 & was placed on file in the Office of the City Clerk.

#### RECONSIDERATION

APPROVING THE SALE OF CITY PROPERTY AT 9TH AND K STREETS, KNOWN AS THE K STREET POWER PLANT - Prior to reading the gavel was passed to Patte Newman.

SVOBODA Moved to reconsider Bill No. 05-173.

Seconded by Eschliman & carried by the following vote: AYES: Eschliman, Marvin, McRoy, Svoboda; NAYS: Camp, Cook, Newman.

MCROY Moved to delay public hearing and action to 12/12/05.

Seconded by Eschliman & carried by the following vote: AYES: Camp, Cook, Eschliman, Marvin, McRoy, Newman, Svoboda; NAYS: None.

#### MISCELLANEOUS BUSINESS

##### PENDING -

CAMP Moved to extend the Pending List to December 5, 2005.

Seconded by McRoy & carried by the following vote: AYES: Camp, Cook, Eschliman, Marvin, McRoy, Newman, Svoboda; NAYS: None.

##### UPCOMING RESOLUTIONS -

CAMP Moved to approve the resolutions to have Public Hearing on December 5, 2005.

Seconded by McRoy & carried by the following vote: AYES: Camp, Cook, Eschliman, Marvin, McRoy, Newman, Svoboda; NAYS: None.

##### ADJOURNMENT 1:14 A.M.

CAMP Moved to adjourn the City Council meeting of November 28, 2005.

Seconded by McRoy & carried by the following vote: AYES: Camp, Cook, Eschliman, Marvin, McRoy, Newman, Svoboda; NAYS: None.

So ordered.

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Joan E. Ross, City Clerk

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Sandy L. Dubas, Senior Office Assistant

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